

SEP-05-2007 17:56 From:

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

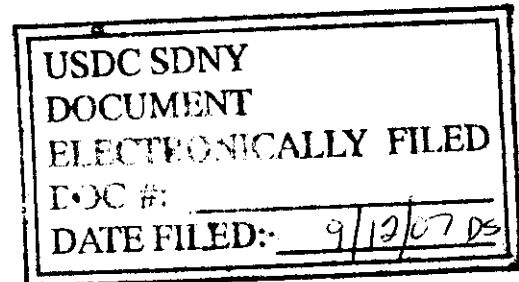
Elias Ballesteros,

Plaintiff

-v-

Ben's Market, Ben's Meat-O-Mat, Inc., &  
James Napolitano,

Defendants

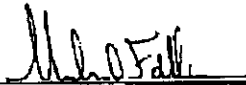


CASE #: 06-CV 4406  
(Koetl, J)

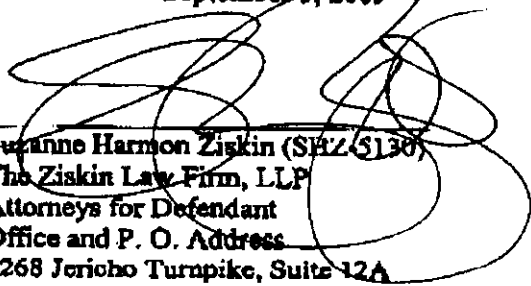
STIPULATION DISCONTINUING ACTION WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of this action, the above entitled action be dismissed with prejudice and without costs to the Plaintiff.

Dated: New York, New York  
September 5, 2007

  
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Dated: Commack, New York  
September 5, 2005

  
Suzanne Harmon Ziskin (SHZ/5130)  
The Ziskin Law Firm, LLP  
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**SO ORDERED**

 9-12-07

MAGISTRATE JUDGE RONALD L. ELLIS